REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-18 were pending in this application. Claims 8 and 16 have been canceled and claims 1-3, 6 and 9-12 have been amended hereby to even more clearly recite features of the present invention. Support for the amendment to the claims can be found, for example, in paragraphs [0036] and [0037], and Figure 2 of the present application. Upon entry of this amendment claims 1-7, 9-15 and 17-18 will be pending herein. For the reasons stated below, Applicants respectfully submit that all claims pending in this application are in condition for allowance.

In the Office Action, claims 1-8 and 11-12 were rejected under 35 U.S.C.§102(b) as being anticipated by Tso et al. (U.S. 6,421,733 B1); claims 9-10 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tso et al. in view of Eichstaedt et al. (2005/0027741 A1); and claims 13-18 were rejected under 35 U.S.C. §103(a) as being unpatentable over Tso in view of Volach (US 2003/0158902 A1). To the extent these rejections might still be applied to claims presently pending in this application, they are respectfully traversed.

As described in a prior response, the present invention is related to systems and methods for providing multimedia message service (MMS) interoperability between an initiating (or first) carrier and a destination (or second) carrier. Here, a "carrier" is a "mobile telephone service provider" as is now expressly recited in several of the claims.

MMS is a growing service that is most commonly used to send data (e.g., pictures, video, etc.) between mobile telephones. *See*, e.g., paragraph [0013] of the present application. MMS is

a next generation service in the mobile telecommunications arena, and, while having significant promise as a mobile telephony service, nevertheless presents a host of issues to carriers. Notably, the implementation of MMS functionality may differ among carriers such that an MMS message sent by a first user may not be compatible with the capabilities of a second carrier's implementation. From a business perspective, this will cause fewer mobile users to use MMS messaging since users will not be confident that MMS messages will actually reach the intended recipient. *See*, e.g., paragraph [0014] of the present application.

The present invention addresses the myriad carrier interoperability issues associated with MMS messaging by implementing a transcoding facility that is disposed between mobile telephone service providers. As recited in, for example, claim 1, the present invention provides multimedia message service (MMS) interoperability between a first mobile telephone service provider and a second mobile telephone service provider by receiving an MMS message from the first mobile telephone service provider and then querying a number portability database to determine an identity of a second mobile telephone service provider to which the MMS message is intended to be sent. The number portability database identifies a corresponding mobile telephone service provider for each of a plurality of telephone numbers.

Thereafter, the methodology queries a carrier profile repository to access a carrier profile for the second mobile telephone service provider, wherein the carrier profile includes information regarding an MMS format acceptable to the second mobile telephone service provider. The MMS message is then transcoded in accordance with the carrier profile to generate a transcoded MMS message, and the transcoded MMS message is then sent to the second mobile telephone service provider.

As emphasized above, claim 1 now requires a query to a number portability database to identify the correct mobile telephone service provider to which the MMS message is to be sent. Number portability is a difficult problem to address in the mobile telephone industry because of the constant "churn" of subscribers moving from one service provider to another, yet maintaining the same telephone number. The present invention addresses this difficult issue by including an express step of accessing a number portability database to ensure the proper routing of an incoming MMS message. That is, not only does the present invention perform carrier-appropriate MMS message transcoding, but the invention also performs fundamental MMS message routing by querying a number portability database.

Independent claim 6 recites similar subject matter.

Dependent claim 9 and independent claim 12 recite still another feature of the instant invention as described in paragraph [0037] of the present specification. Specifically, these claims now recite that an SMS message is sent to a destination carrier when a received MMS message cannot be delivered as received for the initiating carrier. That is, the claimed system and methodology requires notification, via SMS messaging, that an MMS message is likely to have undergone transcoding. This can be helpful to the ultimate user or subscriber in that he/she can now be aware that incoming MMS message may have been transcoded.

The prior art of record neither discloses nor suggests the features recited in the amended claims of this application.

Tso et al. describe a system for dynamically transcoding data transmitted between computers, and focus on data transmitted between a server and a client. *See*, e.g., col. 2, lines 44-47 of Tso et al. However, the Tso et al. description is absent any description of mobile

telephony, "MMS," a "number portability database," "carrier profiles, " or SMS notification, as recited in the claims of the present application.

Specifically, col. 2, lines 56-58 of Tso et al. that is cited in the Office action merely discloses requesting or receiving "information." However, this "information" does not necessarily suggest an MMS message, as claimed. Likewise, Figure 3 of Tso et al. does not disclose or even suggest a "carrier" as recited in the pending claims. Rather, Figure 3 merely shows a network client 12 that is in communication with transcoding server 34. Neither of these components is a "carrier" like the carriers recited in the claims of the present application, let alone a mobile telephone service provider, as now expressly recited.

Furthermore, client preference table 26 is not at all analogous to the claimed "number portability database," which has a common meaning to those skilled in the art of telecommunications, and whose functionality is now expressly recited in, e.g., amended claim 1 and 6. A number portability database is a repository in which mobile telephone users' telephone numbers are matched with carriers (i.e., mobile telephone service providers). Client reference table 26 and its associated description in Tso et al. does not anticipate (indeed does not even come close to mentioning) a "number portability database" as recited by the pending claims, or a number portability database that identifies a corresponding mobile telephone service provider for each of a plurality of telephone numbers, as is now expressly recited.

Further still, contrary to the assertion made in the Office Action, Tso et al. do not disclose a "carrier profile" for a mobile telephone service provider, let alone a carrier profile that includes information regarding an MMS format acceptable to another carrier, as claimed. While Tso et al. disclose examples of types of information which may be used to dictate which transcode service

providers 24 are invoked (col. 7, lines 15-17), the examples given simply do not encompass a "carrier profile" or an "MMS format."

Moreover, Tso et al. do not disclose anything about sending SMS messages, let alone doing so when the MMS message received cannot be delivered as received from the initiating mobile telephone service provider.

While Eichsteadt et al. was cited for disclosing the use of SMS messages, the disclosure of Eichstaedt et al. in this regard is limited to sending SMS message alerts to users prior to sending content to the user. However, Eishstaedt et al. does not disclose or suggest the specifically recited feature of sending an SMS message to notify a user that an MMS message received cannot be delivered as-is.

The newly-cited Volach reference does not overcome the deficiencies of Tso et al. or Eischstaedt et al.

Accordingly, since the cited prior art fails to disclose each and every element recited in the claims now pending herein, the §102 and §103 rejections must be withdrawn.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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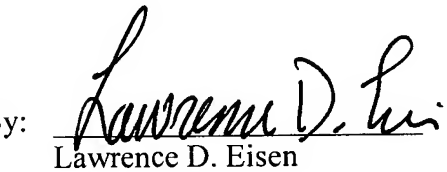
Respectfully submitted,

DEREK HUNG KIT TAM ET AL.

Date: March 6, 2006

By: 
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Attachments: None

LDE/dkp

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